| 189 K | | PART B | s - FEE(S) | TRANSMITTAL | | |
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| 4365 Executive Dri San Diego, CA 921 | RE & FREIDENRICH ive Suite 1100 21 | | | I hereby certify tha States Postal Servic addressed to the M transmitted to the U | Certificate of Mailing or Trait this Fee(s) Transmittal is being with sufficient postage for fail Stop ISSUE FEE addressPTO (703) 746-4000, on the | ing deposited with the Unirst class mail in an envel above, or being facsing date indicated below. |
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The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Pagent and Trademark Office.

(Authorized Signature)

(Authorized Signature)

38,347 Lisa A. Haile, October 22, 2004

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PATENT

Attorney Docket No.: JAL1100-1

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Alex Battaglia

Art Unit:

1617

Application No.:

10/053,313

Examiner:

T.J. Criares

Filed:

January 18, 2002

Conf. No.

3640

Title:

GUM RESIN AS A CARRIER FOR TOPICAL APPLICATION OF

PHARMACOLOGICALLY ACTIVE AGENTS

Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application, please find:

- 1. Response to Notice of Allowance mailed July 23, 2004 (1 page);
- 2. Form PTOL-85B Issue Fee Transmittal (in duplicate) (1 page); and
- 3. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, October 22, 2004, in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Aldon Griffis

(Name of Person Mailing Paper)

October 22, 2004

(Date

Gray Cary\GT\6419051.1 2503591-2

In re Application of:

Alex Battaglia

Application No.: 10/053,313 Filed: January 18, 2002

Page 2

PATENT

Attorney Docket No.: JAL1100-1

The fee for the issue, publication and extra patent copies is \$1,015.00; which consists of \$685.00 for the Issue Fee, \$300.00 for the Publication Fee and \$30.00 for the Advance Order Fee for Ten (10) Patent Copies. The Commissioner is hereby authorized to charge this fee and any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: October 22, 2004

Lisa A. Haile, J.D., Ph.D. Registration No. 38,347 Telephone: (858) 677-1456

Facsimile: (858) 677-1465

USPTO CUSTOMER NUMBER 28213

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100

San Diego, California 92121-2133

PATENT

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Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

Sir:

In response to the Notice of Allowance mailed July 23, 2004, enclosed is the completed Issue Fee Transmittal Form PTOL-85B. The fee for the issue, publication and extra patent copies totals \$1,015.00; which consists of \$685.00 for the Issue Fee, \$300.00 for the Publication Fee and \$30.00 for the Advance Order Fee for Ten (10) Patent Copies. The Commissioner is hereby authorized to charge this fee and any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355.

Respectfully submitted,

Date: October 22, 2004

Lisa A. Haile, J.D., Ph.D.

Registration No.: 38,347 Telephone: (858) 677-1456

Facsimile: (858) 677-1465

USPTO CUSTOMER NUMBER 28213

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133

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Aldon Griffis

(Signature)

(Name of Person Mailing Paper)

Gray Cary\GT\6419050.1 2503591-2